

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LARRY DOUGLAS STOVALL,

Plaintiff,

v.

ED GOLLA, *et al.*,

Defendants.

Case No. C07-5072 FDB/KLS

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Magistrate Judge concluded that Plaintiff failed to exhaust his administrative remedies and failed to state a claim, and recommended dismissal. Plaintiff filed objections to the Report and Recommendation requesting a continuance to February 22, 2008. Considering the record, the Report and Recommendation, the objections, and Defendants' response to the objections, a continuance must be denied as futile, and the Report and Recommendation adopted.

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion to dismiss (Dkt. # 21) is **GRANTED** and Plaintiff's Complaint (Dkt. # 5) is **DISMISSED WITHOUT PREJUDICE**; and
- (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants and to the Hon. Karen L. Strombom.

DATED this 20th day of December 2007.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE